

**ORIGINAL**

FILED IN OPEN COURT  
U.S.D.C. - Atlanta

JUL 11 2017

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JAMES N. HATTEN, Clerk  
Deputy Clerk

UNITED STATES OF AMERICA

v.

HALISI STATEN,  
a.k.a. HALISI EDWARDS,  
a.k.a. HALISI TRUMPLER, and  
KIM BRAY

Criminal Indictment

No. **1 :17 - CR - 242**

THE GRAND JURY CHARGES THAT:

**Background**

At all times relevant to this Indictment:

1. Medicaid was administered in Georgia by the Georgia Department of Community Health and jointly funded by the State of Georgia and the United States Department of Health and Human Services, acting through the Centers for Medicare and Medicaid Services. Medicaid was established to provide an array of health care services and benefits to those qualifying individuals who, due to economic circumstances, could not otherwise afford such health care services and benefits. Medicaid is a public plan or contract, affecting commerce, under which medical benefits, items and services were provided to individuals. Medicaid is a "health care benefit program," as defined by Title 18, United States Code, Section 24(b).

2. Individuals who received benefits under Medicaid were referred to as Medicaid “members.”

3. In order to submit bills to Medicaid for reimbursement for health care services provided to Medicaid members, one had to be an approved Medicaid provider. A provider obtained this approval by submitting an application to Medicaid and enrolling in certain Medicaid programs or services. If the application met certain minimum qualifications, Medicaid approved the application, and the provider was then issued a unique identification number called a “provider number.”

4. Once a provider was issued a provider number, the provider could then submit bills, known as “claims,” to Medicaid to obtain reimbursement for services provided to Medicaid members.

5. When a claim for reimbursement was submitted to Medicaid, the provider certified that the contents of the claim were true, correct, complete, and that the claim was submitted in compliance with the laws and regulations governing the Medicaid program.

6. Defendant, HALISI STATEN, was a licensed psychologist who owned and operated Georgia Center for Health, Wellness, and Recovery, Inc. (GCHWR), located in Lithonia, Georgia, in the Northern District of Georgia. Defendant, HALISI STATEN, enrolled GCHWR in Medicaid as a provider and purported to provide Assertive Community Treatment (ACT) services under Medicaid’s Community Mental Health program.

7. ACT was an intense, community-based service that used a multi-

disciplinary team approach to provide comprehensive treatment and support to adult Medicaid members with severe and persistent mental illness and who were unable to live in the community without this intense level of treatment.

8. The ACT program was monitored by the Georgia Department of Behavioral Health and Developmental Disabilities (DBHDD), a contractor of Medicaid.

9. Defendant, KIM BRAY, was employed at GCHWR as a community support specialist purportedly providing ACT peer support services to Medicaid members receiving services from GCHWR.

10. Defendants, HALISI STATEN and KIM BRAY, did cause thousands of fraudulent claims to be submitted to Medicaid for ACT services that were not provided as billed and not entitled to reimbursement by Medicaid.

**COUNT ONE**

18 U.S.C. § 1349

(Conspiracy to Commit Health Care Fraud)

11. The Grand Jury re-alleges and incorporates by reference the factual allegations contained in paragraphs 1 through 10 as if set forth herein.

12. Beginning on or about a date unknown, and continuing until in or about August 2014, in the Northern District of Georgia and elsewhere, the defendants, HALISI STATEN and KIM BRAY, did combine, conspire, confederate, agree, and have a tacit understanding with each other and others known and unknown to the Grand Jury, to knowingly and willfully execute and attempt to execute a scheme and artifice to defraud Georgia Medicaid, which is a health care benefit program affecting interstate commerce, as defined in Title 18, United States Code, Section 24(b), and to obtain, by means of materially false and fraudulent pretenses,

representations, and promises, and by the omission of material facts, money and property owned by and under the custody and control of Georgia Medicaid, in connection with the delivery of and payment for health care benefits, items, and services, in violation of Title 18, United States Code, Section 1347.

**Object of the Conspiracy**

13. The object of the conspiracy was for the defendants, STATEN and BRAY, to obtain funds from Georgia Medicaid to which they were not entitled.

**Manner and Means**

14. The defendants, HALISI STATEN and KIM BRAY, along with their co-conspirators, known and unknown, employed the following means and methods, among others, to effectuate the conspiracy charged herein:

15. In or around December 2009, STATEN obtained a Medicaid provider number for GCWHR.

16. On or about April 1, 2010, STATEN enrolled in the ACT program through DBHDD.

17. In or about December 2010, the exact date being unknown, STATEN hired defendant, BRAY, to provide community support to Medicaid members receiving ACT peer support services from GCWHR.

18. In or about December 2010, the exact date being unknown, STATEN submitted a request for a "Fingerprint Based Background Check" for BRAY to DBHDD.

19. On or about January 4, 2011, DBHDD advised STATEN that BRAY was ineligible for employment or to provide services to Medicaid members receiving DBHDD services.

20. On or about March 3, 2011, STATEN signed a "Determination Based on Criminal History Record Information Contractor and Contractor Employees" form indicating that BRAY had been removed from further consideration for work

COUNT	DATE OF SERVICE	MEDICAID MEMBER INITIALS	MEDICAID MEMBER IDENTIFICATION NUMBER	CLAIM NUMBER	AMOUNT PAID
2	8/1/12	G.W.	*****1363	2212223004610	\$129.84
3	12/25/12	L.R.	*****3621	2213003023934	\$129.84
4	4/10/13	E.B.	*****3941	2213106009447	\$129.84
5	5/14/13	J.H.	*****4746	5913150001492	\$129.84
6	12/25/13	J.S.	*****4982	2214031018510	\$1674.11

All in violation of Title 18, United State Code, Sections 1347 and 2.

**Forfeiture Provision**

Upon conviction of one or more of the offenses alleged in Counts One through Six of the Indictment, the defendants, HALISI STATEN and KIM BRAY, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, any property, real or personal, which constitutes or is derived from proceeds traceable to the health care fraud offenses or a conspiracy to commit such offenses including, but not limited to, the following:

- MONEY JUDGMENT: A sum of money in United States currency representing the amount of proceeds obtained as a result of the offenses. If more than one defendant is convicted of an offense, the defendants so convicted are jointly and severally liable.

A True BILL

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FOREPERSON

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